

CENTRAL FAX CENTER

APR 06 2007

Attorney Docket: 112.P14220  
Serial No. 10/068,278  
Filed: 02/06/2002COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Examiner's statements of reasons for allowance are hereby acknowledged by Assignee. Assignee agrees that the claimed subject matter is patentably distinct from the documents cited by the Examiner; however, Assignee takes no position regarding the reasons for allowance presented by the Examiner, other than the positions Assignee may have previously taken during prosecution of the above-referenced patent application. Therefore, the Examiner's reasons for allowance should not be attributed to Assignee as an indication of the basis for Assignees' belief that the claims are patentably distinct. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record. While in accordance with 37 C.F.R. §1.104(e), a failure by the Assignee to disagree with the Examiner, or file more detailed comments, does not give rise to any implication that the Assignee agrees with or acquiesce in the reasoning of the Examiner, here, by this document, Assignee is expressly making clear that no such agreement or acquiesce is present.

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The above-referenced patent application has been reviewed in light of the Notice of Allowance referenced above. Assignee would like to note that the attached drawing figures incorporate the changes requested by the Examiner in the Notice of Allowance dated January 8, 2007. For Example, Assignee has amended Figures 1 and 2 to include the label "Conventional Art." Assignee respectfully asserts that these amendments should not result in prosecution history estoppel because they do not alter the scope of Assignee's claimed subject matter.

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CONCLUSION


In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application are in condition for issuance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500. Consideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated: \_\_\_\_\_

4-6-07

  
Steven J. Munson  
Reg. No. 47,812

Customer No. 43831  
Berkeley Law and Technology Group, LLP  
1700 NW 167th Place, Suite 240  
Beaverton, OR 97006  
503-439-6500